

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO. [BILL NUMBER]

Military service relief act additional protections.

Sponsored by: Joint Transportation, Highways & Military  
Affairs Interim Committee

A BILL

for

1 AN ACT relating to defense forces and affairs; providing  
2 servicemembers protections when terminating, suspending or  
3 reinstating contract services; requiring notice; making  
4 conforming amendments; providing applicability; and  
5 providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 19-11-125 is created to read:

10

11 **19-11-125. Termination, suspension or reinstatement**  
12 **of contract services.**

1

2           (a)     A person ordered to active service in the  
3     uniformed services for a period of more than thirty (30)  
4     consecutive days may terminate or suspend a service  
5     contract described in subsection (b) of this subsection at  
6     any time after the date the person receives military  
7     orders, provided the person complies with the notice  
8     requirements in subsection (c) of this section.

9

10           (b)     Service contracts subject to subsection (a)  
11     include contracts issued or renewed on and after  
12     July 1, 2018, subject to Wyoming law, which provide any of  
13     the following:

14

15                   (i)     Telecommunication services;

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17                   (ii)    Internet services;

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19                   (iii)   Television services including cable  
20     television, satellite and other television-like services;

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22                   (iv)    Athletic club or gym memberships;

23

1 (v) Satellite radio or communication services;

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3 (vi) Other services provided pursuant to a  
4 contract that requires periodic and ongoing payments.

5

6 (c) To terminate or suspend a service contract  
7 pursuant to this section a uniformed services member or  
8 spouse of a uniformed services member shall deliver to the  
9 holder of the service contract a written or electronic  
10 notice of the termination and a copy of the member's  
11 military orders. Termination or suspension is effective on  
12 the date specified in the notice, or ten (10) days after  
13 the date the notice was sent, whichever is later.  
14 Suspension shall continue until the member or spouse of a  
15 uniformed services member reinstates service by delivering  
16 to the holder of the service contract a written or  
17 electronic notice of reinstatement. The contract holder  
18 shall resume providing services effective not more than ten  
19 (10) business days after the date specified in the notice,  
20 or ten (10) days after the date the notice was sent,  
21 whichever is later. A service member who terminates,  
22 suspends or reinstates services may not be charged any  
23 penalty, interest, fee, loss of deposit or other cost

1 because of the termination, suspension or reinstatement. A  
2 service contract described in this subsection may be  
3 contracted together with or separately by the spouse of the  
4 person ordered to service in the uniformed services,  
5 provided that at the time under contract the spouse resides  
6 with the person.

7  
8 **Section 2.** W.S. 19-10-106, 19-11-101,  
9 19-11-103(a)(xii), 19-11-122(b), (c) and (d) are amended to  
10 read:

11  
12 **19-10-106. Application of Military Service Relief**  
13 **Act.**

14  
15 The Military Service Relief Act, W.S. 19-11-101 through ~~19-~~  
16 ~~11-124-~~19-11-125, shall apply to members of the Wyoming  
17 state guard.

18  
19 **19-11-101. Title.**

20  
21 As used in this article, "this article" means W.S. 19-11-  
22 101 through ~~19-11-124-~~19-11-125.

1           **19-11-103. Definitions.**

2

3           (a) As used in this article, unless the context  
4 clearly requires otherwise:

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6                   (xii) "This act" means W.S. 19-11-101 through  
7 ~~19-11-124~~ 19-11-125.

8

9           **19-11-122. Servicemembers Civil Relief Act;**  
10 **application to national guard; penalty for violation of**  
11 **rights; enforcement; preferences.**

12

13           (b) Any person who knowingly violates the protections  
14 provided to members of the Wyoming national guard pursuant  
15 to subsection (a) of this section or W.S. 19-11-125 shall  
16 be guilty of a misdemeanor punishable by a fine not to  
17 exceed one thousand dollars (\$1,000.00).

18

19           (c) The protections afforded to members of the  
20 Wyoming national guard pursuant to subsection (a) of this  
21 section or W.S. 19-11-125 may serve as the basis for an  
22 action or as a defense. The courts of this state that  
23 would otherwise have jurisdiction over a case shall have

1 jurisdiction over proceedings involving the Servicemembers  
2 Civil Relief Act, ~~and~~ the Uniformed Services Employment and  
3 Reemployment Rights Act, ~~and~~ W.S. 19-11-125, which shall be  
4 governed by the rules applicable to ordinary proceedings.

5  
6 (d) The courts shall give preference in scheduling  
7 ~~such~~ proceedings pursuant to subsection (c) of this  
8 section, upon the motion of any person in the uniformed  
9 services, or the person's attorney, who presents  
10 certification that the person has performed service in the  
11 uniformed services or is in service in the uniformed  
12 services.

13  
14 **Section 3.** This act is effective July 1, 2018.

15  
16 (END)